

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

INFOR GLOBAL SOLUTIONS)	
(MICHIGAN), INC.,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	No. 3:08-00758
)	Judge Nixon
CHS/COMMUNITY HEALTH SYSTEMS, INC.; NWI HOSPITAL HOLDINGS, LLC;)	Magistrate Judge Knowles
PORTER HOSPITAL, LLC; BOARD OF TRUSTEES OF PORTER MEMORIAL HOSPITAL d/b/a PORTER MEMORIAL)	
HOSPITAL; PORTER COUNTY BOARD OF COMMISSIONERS; COUNTY COUNCIL OF PORTER COUNTY; and PORTER COUNTY, INDIANA,)	
)	
<i>Defendants.</i>)	
)	

ORDER

Pending before the Court is Plaintiff Infor Global Solutions (Michigan), Inc. and Defendants Board of Trustees of Porter Memorial Hospital, Porter County Board of Commissioners, County Council of Porter County, and Porter County, Indiana's ("Porter County Defendants") Stipulation of Partial Dismissal Without Prejudice ("Joint Stipulation") (Doc. No. 40). The Joint Stipulation seeks dismissal of all claims against the Porter County Defendants pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

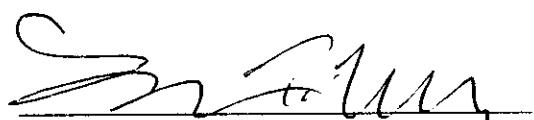
On March 26, 2009, the Magistrate issued a Report and Recommendation ("Report")

(Doc. No. 42), recommending that the Court treat the Joint Stipulation as a request to dismiss Plaintiff's claims against the Porter County Defendants without prejudice pursuant to Rule 41(a)(2). The Report explains that Plaintiff cannot voluntarily dismiss its claims against the Porter County Defendants pursuant to Rule 41(a)(1)(A)(i) by filing a notice of dismissal because a number of Defendants had filed and served Answers when the Joint Stipulation was filed. The Court finds the Report to be well-founded and thus **ADOPTS** it in its entirety.

The Court views the Joint Stipulation as a request to dismiss Plaintiff's claims against the Porter County Defendants without Prejudice pursuant to Rule 41(a)(2). As such, the request is **GRANTED** and Plaintiff's claims against the Porter County Defendants are **DISMISSED without prejudice.**

It is so ORDERED.

Entered this the 17 day of May, 2009.



JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT